

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN FRANCISCO



JURY SELECTION AND
MANAGEMENT PLAN

ADOPTED BY THE EXECUTIVE COMMITTEE SEPTEMBER 13, 2016

POLICY STATEMENT

Pursuant to Title 3, Chapter 1, CCP §194 through §237, the Trial Jury Selection and Management Act, the following plan adopted by the Executive Committee sets forth the policies and procedures related to the selection of management of jurors in San Francisco Superior Court.

All litigants entitled to trial by jury in this Court shall have the right to jurors selected at random from a fair cross section of the community. All citizens residing within the City and County of San Francisco shall have the opportunity to be considered for jury service and shall have an obligation to serve as jurors when summonsed for that purpose, consistent with applicable state law.

The Jury Commissioner shall manage the jury selection process under the supervision and control of the Presiding Judge, or under the direction of any other judge to whom authority has been delegated.

JURY MASTER LIST AND RANDOM SELECTION

The names of potential jurors shall be selected at random from the merged/purged lists (the master list) provided by the San Francisco Department of Elections, of individuals who are registered to vote in the City and County of San Francisco; and from the California Department of Motor Vehicles, of individuals who reside or maintain an address within the City and County of San Francisco and who hold a driver's license or state identification card. The Court finds that such lists represent a fair cross section of the community within its jurisdiction. The names of jurors shall be selected randomly from the master list. The Court shall exhaust the master list before creating a new master list.

Random selection shall be accomplished by the jury management software in verified processes provided by the vendor and approved by the Court. Randomization of the list shall be accomplished at least at the points of: (1) source list processing; (2) summons generation; and (3) panel selection. Documentation of the random number generator is provided by the jury management system vendor and is proprietary to that vendor.

No actions in the jury management process will affect the random selection and assignment of jurors from the master list.

SELECTION OF NAMES BY ELECTRONIC MEANS

The Court maintains its master list in electronic format. It uses software provided by the jury management system vendor to manage jury operations. The software is called Jury+ Next Generation and is provided by Jury Systems Incorporated of Simi Valley, California.

Each week, the Deputy Jury Commissioner shall oversee the issuance of the required number of summonses for each Court location, the Civic Center Courthouse and the Hall of Justice. The summonses are created by the random process indicated above and are transmitted to a vendor for printing and mailing via First Class Mail. The Deputy Jury Commissioner is responsible for the effective management of the master list and associated processes.

TERM OF SERVICE

Pursuant to Rule of Court 2.1002, the Court employs One Day/One Trial. A juror is on call for one week, Monday through Friday. A juror is required to check reporting instructions every day during the service week. The Court provides electronic means for a juror to check reporting instructions, the Court's Web site and the integrated voice response telephone system.

If a juror reports for service one day during that week and is not assigned to a trial department, the juror is excused from service. If a juror reports for service one day during that week and is assigned to a trial department, the juror serves until excused by a judge.

SUMMONS AND RESPONSE FORM

The Court uses the California model jury summons. The front of the summons includes information about the service week; the assigned courthouse location; the process for obtaining reporting instructions; and general information about jury service. The back of the summons includes a response form. The summons is mailed 5 weeks in advance. A juror may postpone service, report disqualification, or request excuse via the Court's Web site or by mailing the Response Form. The Deputy Jury Commissioner is responsible for overseeing the consistent application of guidelines for postponement, disqualification, and excuse.

Postponement

A prospective juror is entitled to a postponement of service, up to a maximum of six months. A nursing mother may postpone her service for up to one year (CRC 2.1006).

Request for Disqualification

A juror may report disqualification from service based on:

- Language, unable to speak, read, and write basic English;
- Citizenship, not a citizen of the United States;
- Age, under 18 years of age;
- Military, on active duty and domiciled out of the City and County of San Francisco;
- Residency, no longer living in the City and County of San Francisco;
- Prior Service, completed jury service in any jurisdiction in the prior 12 months;
- Felony or malfeasance in office, conviction and has not received pardon from the Governor;
- Conservatorship, under conservatorship in any jurisdiction; or
- Active duty peace officer, specified in Penal Code §830.1; §830.2(a) – (c); or §830.33 only.

Request for Excuse

A juror may request excuse from service for:

- Age, over age 70 and possessing a health condition that precludes service;
- Health condition, under age 70 and submitting a letter from a physician;
- Financial hardship, demonstrating extreme, personal financial hardship; or
- Dependent care, providing care to a relative during Court hours where other arrangements are not possible.

ASSIGNMENT TO TRIAL DEPARTMENT

A trial department may request jurors until 3:30 p.m. for the following day. At the end of each day, the Deputy Jury Commissioner oversees the creation of reporting instructions for the following day.

Orientation of jurors reporting for service takes 45 minutes and includes: announcements about disqualification from jury service to ensure that only qualified jurors report to trial department; the Judicial Council-provided “Ideals Made Real” video, which describes the jury trial process; explanation of courthouse-specific information, including emergency procedures; and explanation of jury pay policies, including fee waivers for government employees.

At the conclusion of orientation, the required number of jurors are randomly assigned to the trial department(s). The clerk of the trial department is provided with a case cover sheet; an alphabetical list of jurors assigned to that case; and a random list of jurors assigned to that case. At the designated time, the jurors are instructed to report to the trial department for jury selection.

JUROR COMPENSATION

A juror is not paid for the first day of service. On the second or subsequent days of service, the juror is eligible to receive a \$15 per diem and a \$2.50 mileage allowance. Government employees are required to waive the per diem, but may choose to receive the mileage allowance. Fee waiver forms are collected during juror orientation.

Juror payroll is generated once per month, on the last business day of the month. The file of jurors to be paid is transmitted to the Judicial Council in Sacramento for processing and mailing.

In civil cases, the trial department is provided with a report showing the jury fees for each day of selection and for the sworn jury so that the Court may be reimbursed for jury fees.

FAILURE TO APPEAR

A juror who fails to appear when summonsed will receive a Notice of Failure to Appear. Notices are generated approximately 30 days after the service date. The notice requests that the juror contact the Court within 10 business days to remedy the failure to appear, either by rescheduling service, requesting excuse, or reporting disqualification. A juror who has received a Notice of Failure to appear may be ordered by the Court to appear and show cause for failure to comply with the summons.